



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

JENKINS & CLAYMAN

Eric J Clayman, Esquire

412 White Horse Pike

Audubon, NJ 08106

(856) 546-9696

Attorneys for the Debtor

In Re:

Lamont Williams,  
debtor

Order Filed on November 8, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 17-35377

Chapter: 13

Hearing Date: 2/27/18-9/12/18

Judge: ABA

**ORDER GRANTING SUPPLEMENTAL CHAPTER 13 FEES**

The relief set forth on the following pages, number two (2) through two (2) is hereby  
**ORDERED.**

**DATED: November 8, 2018**



\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

The application having certified that legal work supplemental to basic Chapter 13 services has been rendered, and no objections having been raised, it is:

ORDERED that Jenkins & Clayman, the application, is allowed a fee of \$2,463.00 and and expenses of \$17.25 for services rendered. The allowance shall be payable:

       Outside the plan through the chapter 13 plan as an administrative priority.

X From funds the chapter 13 Trustee is holding up to the extent of this allowance (includes unpaid standard fee in the amount of \$2,825.00 per dismissal order).

17-35377-ABA

**IT IS FURTHER ORDERED** that the Supplemental Chapter 13 Fees are reduced for the following reason(s):

- Counsel previously advised that the court will not allow billing at highest hourly rate of \$395 for administrative tasks that can be performed by staff or at a lesser rate. This fee app still includes fees for administrative tasks at highest hourly rate. No more than \$200 will be allowed for fee application preparation. Time charged is more than \$200.
- The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows for Additional court appearances - Not to exceed three.
- The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$300 for filing and appearance on a modified Chapter 13 Plan, not \$300 for each action.
- The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$400 for filing and appearance on a Defense of Motion on behalf of debtor.
- The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$100 for Preparation and filing of Amendments to Schedules or List of Creditors, not \$100 each.
- The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$100 for preparation and filing of other amended schedules such as Schedules I and J, not for \$100.00 each.
- Excess/unnecessary appearances could have been avoided through proper adjournment requests.
- Travel time must be charged at  $\frac{1}{2}$  rate. *In re DeMarco*, No. BR 14-28245-ABA, 2016 WL 899915, at \*1 (Bankr. D.N.J. Feb. 9, 2016) citing *In re McDermott*, No. 05-17387(DHS), 2009 WL 2905375, at \*8 (Bankr.D.N.J. Aug. 24, 2009).
- Failure to exercise billing judgment/review. *In re DeMarco*, No. BR 14-28245-ABA, 2016 WL 899915, at \*2 (Bankr. D.N.J. Feb. 9, 2016). See also, *In re Maxine's, Inc.*, 304 B.R. 245 (Bankr.D.Md.2003).
- The court customary allows the use of a Detail of Non-standard Services for loss mitigation and will allow \$ \_\_\_\_\_ for loss mitigation efforts. Remaining items (highlighted) should be within scope of representation however R. 2016 statement of services contains no information and/or fee agreement not provided so there is no support for allowance of request. Even then, it would have to be on proper fee application since fee request does not fall within standard supplemental fee requests.